



Paper No. 15

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OFFICE OF PETITIONS

In re Application of	:	DECISION VACATING PRIOR
Zeng	:	DECISION
Application No. 09/551,187	:	
Filed: April 17, 2000	:	
Attorney Docket No.:	:	
90065.161501/17732.6134.003	:	&
For: SEMICONDUCTOR DEVICE HAVING	:	DECISION GRANTING
REDUCED EFFECTIVE SUBSTRATE	:	PETITION UNDER
RESISTIVITY AND ASSOCIATED METHODS	:	37 CFR 1.137(b)

This is a decision vacating the decision of July 25, 2002 and granting the petition under 37 CFR 1.137(b), filed February 27, 2002, to revive the above-identified application. The decision of July 25, 2002 was made in error and the undersigned apologizes for the mistake and any inconvenience occasioned by the error.

This application was held abandoned for failure to respond in a timely manner to the non-final Office action mailed on May 9, 2001. A Notice of Abandonment was mailed on December 19, 2001.

A review of the application file reveals that petitioner filed an amendment and a 4 month extension of time and required fee on January 4, 2002.

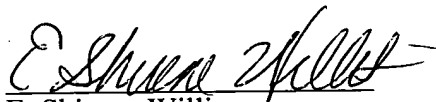
While the amendment and the extension of time bear proper certificates of mailing, dated December 10, 2001, in compliance with the requirements of 37 C.F.R. § 1.8(a)(1), they were filed after the 6 month statutory deadline for response. They were not timely filed.

Therefore, the previous decision under 37 CFR 1.181, mailed July 25, 2002, is **VACATED** and the petition to revive, filed July 25, 2002, under 37 CFR 1.137(b) is **GRANTED**.

Regarding finances, the \$1,280.00 petition fee, submitted February 27, 2002 and erroneously refunded to deposit account no. 10-0223 on July 23, 2002 will be charged to the same deposit account. The RCE still is not a proper reply because a final Office action has not been mailed. Therefore, the \$740.00 RCE filing fee, and the \$90.00 submitted for filing claims in excess of 20 were properly refunded on July 23, 2002.

The application file will be forwarded to the Technology Center 2800's technical support staff for entry of the amendment filed January 4, 2002 (certificate of mailing date December 10, 2001) and entry of the supplemental amendment filed February 27, 2002. Thereafter, the application file will be forwarded to the examiner for action in due course.

Telephone inquiries pertaining to this matter may be directed to the undersigned at (703) 308-6712.

A handwritten signature in cursive script, appearing to read "E. Shirene Willis", is written over a horizontal line.

E. Shirene Willis
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy